

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

BLAINE CARR & WANDER CARR

PLAINTIFFS

v.

Civil No. 1:19-cv-00078-GHD-DAS

DEUTSCHE BANK, NATIONAL TRUST CO.

DEFENDANT

ORDER OF DISMISSAL WITHOUT PREJUDICE

The *pro se* Plaintiffs filed this action [1] against the Defendant and against Select Portfolio Servicing, Inc. The Court previously dismissed the Plaintiffs' claims against Select Portfolio for insufficient service of process [16], pursuant to Federal Rule of Civil Procedure 12(b)(5).

The Plaintiffs have likewise failed to properly serve process upon the Defendant Deutsche Bank, and have taken no steps to prosecute this action. The Clerk of Court entered a notice of incomplete process [7], to which the Plaintiffs have failed to properly respond. The Court then entered an Order to Show Cause [19], directing the Plaintiffs to show cause within twenty-one days as to why this matter should not be dismissed due to the Plaintiffs' failure to properly serve process of the summons and complaint on the remaining Defendant. The deadline for compliance with the Court's order has passed and the Plaintiffs have not responded or properly served process upon the Defendant. The Court shall therefore dismiss this cause without prejudice.

Accordingly, the Court hereby ORDERS that this matter is DISMISSED WITHOUT PREJUDICE for failure to prosecute and for failure to comply with an order of the Court pursuant

to Fed. R. Civ. P. 41(b).

SO ORDERED, this, the 29th day of September, 2020.



SENIOR U.S. DISTRICT JUDGE